

**HISTORICAL /CULTURE AND BURIAL SITES  
TECHNICAL WORKING GROUP  
TERMS OF REFERENCE  
(JUNE 28, 2005 REV)**

**Role of the Technical Working Groups**

The TWGs are being asked to provide unbiased and useful technical advice to the Plenary Group on hydrology; endangered species, fish and wildlife; historical/cultural and burial ground; and socio-economic issues concerning the development of a Spring Rise proposal for the Missouri River. They are also asked to present options to the Plenary Group for its consideration, but not to make any final decisions for that group.

**Request from the Plenary – Terms of Reference for the Historical/Cultural and Burial Sites Working Group**

**General**

The Plenary Group wants advice from various Technical Working Groups to assist it in the development of a starting point for discussions on recommended criteria for a Spring Rise. In addition to the Hydrology/Water Quality (“HG”) and Pallid Sturgeon/Wildlife Working (“PSG”) Groups that were established for specific technical consultation regarding the Spring Rise, the Plenary Group also needs advice on historic, cultural and burial site issues; as well as the socio-economic impacts of the Spring Rise. Therefore, the Historical/Cultural and Burial Sites (H/CG) and Socio-Economic (SEG) Working Groups have been created.

There was not adequate time for the Plenary Group to draft and review detailed terms of reference for the Technical Working Groups at their meeting on June 1-2. The CDR Team reviewed Plenary Group comments and drafted this TOR. Later review by the full Plenary Group could result in changes. Also it should be noted that these terms of reference only constitute a starting point from which the H/CG is expected to work. Other relevant factors will surely be added and the impact on them clarified.

**Sequencing of Technical Working Group Meetings and Efforts**

The approach to using the Technical Working Groups was to immediately start the work of the HG and PS Groups (at a meeting at Ft. Snelling on June 8-9) and later convene the SEG and H/CG at the Bismarck, ND meeting on June 28, once hydrological and biological data were available for the latter two groups to review and address.

**Assumptions driving the Request**

The Plenary Group is making the following assumptions in this request:

- A Spring Rise to enhance habitat for the pallid sturgeon, an endangered species, is mandated by the FWS 2003 BiOp, and will be implemented by COE.
- The mandate provides flexibility in how the Spring Rise is implemented and does not require a Spring Rise in every year.
- Adaptive management is an essential component of the mandate and requires adjustment of the Spring Rise criteria as information is learned.
- The COE will not implement over any long period of time any flow modifications that are found to be ineffective in achieving desired impacts on pallid sturgeon habitat or the species.
- The Spring Rise proposal(s) should provide criteria for the first pulse, post pulse flow reduction and the second pulse.
- Certain elements of the WCP of the Master Manual plan (for example, summer flows) are not part of this process.

### **Requests for advice, general**

The role of the H/CG is to provide both general and specific advice to the Plenary to ensure that, in making a Spring Rise recommendation to the COE, the Plenary fully consider the historical and cultural resources and burial ground interests of the various stakeholders in the Missouri Basin. To make best use of the time of the H/CG, it may be helpful for H/CG to review the notes and documents of the other Working Groups to avoid duplication of efforts. (These are available on the USIECR web site.)

The more general interests of the various stakeholders that are being considered include, among others: flood control, hydropower, thermal power, navigation, water supply, irrigation, recreation, fish & wildlife, water quality, agriculture, riparian landowners, conservation/environmental, bank stabilization, and other government interests (federal, tribal, state and local/municipality).

### **Specific requests for advice on issues**

The Plenary Group identified the following issues during its first meeting:

- ◆ Gravesites & cultural sites must be protected.
- ◆ There is a need to identify the socioeconomic and cultural impacts/benefits and how to evaluate/measure them.
- ◆ The effect of various spring rise scenarios (including pulsing) on water supply and quality, cultural sites and grave sites must be evaluated.
- ◆ USACE & USFWS must fulfill their obligations to the tribes.

Other issues may include:

- ◆ Impacts on rivers with Wild and Scenic designation
- ◆ Submerged cultural resources (such as steamships)

- ◆ Cultural landscape components (river/flood plain interface which represent or are associated with historical events and/or situations such as during the time of Lewis and Clark)
- ◆ Protection of other historical resources (such as evidence of villages, campsites, tool making, etc.)

**Specific requests for advice on monitoring, evaluation and sustainability**

What advice does the H/CG have for the Plenary Group about how to best monitor impacts on historical and cultural resources and burial grounds caused by the Spring Rise?

- ◆ What are the indicators of impact on these resources?
- ◆ How might we assess the magnitude of impact and prioritize the major issues?
- ◆ What mitigation plans can be suggested for the major impacts and how should monitoring take place?
- ◆ Can this monitoring program include stakeholder participation? How is this best done?
- ◆ Does the group have suggestions for funding sources for mitigation efforts?

*Note: There is certain tribal information – some site locations, words, customs – that is privileged and will not be shared.*